

summary judgment, Plaintiff filed an Amended Complaint. Plaintiff did not file a motion requesting leave of Court pursuant to Rule 15 of the Federal Rules of Civil Procedure to file an Amended Complaint, and Defendants did not consent to filing the Amended Complaint. Finally, Plaintiff did not provide any reason to this Court for why it failed to comply with the Court's prior Order and timely submit an Amended Complaint.

Defendant then filed a motion to strike the Amended Complaint, which the Court granted. (Order, Jan. 16, 2013.) The Court entered an Order striking the Amended Complaint from the record. (Order, Jan. 16, 2013.) Plaintiff now moves the Court to reconsider its prior Order striking the Amended Complaint.

II. Analysis

As a threshold matter, Plaintiff has not complied with Local Rule 7.1, which requires the filing of a brief in support of a motion. LCvR 7.1(C). In addition, Plaintiff has not provided the Court with any legal authority supporting the relief he requests. For these reasons alone, the motion is subject to being denied.

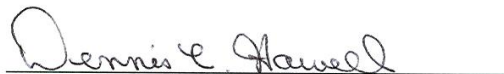
Moreover, Plaintiff has not provided this Court with any reason to reconsider its prior Order. Although counsel contends that his unfamiliarity with the electronic filing system in Federal Court led to the failure to comply with the Court's prior Order, counsel has not explained why it took him over two month

after the expiration of the deadline set by the Court to figure out how to file an Amended Complaint electronically. The Court also finds such an excuse questionable seeing as counsel did not appear to have trouble electronically filing prior motions. In short, Plaintiff has failed to set forth an adequate explanation as to why he failed to file his Amended Complaint until January 3, 2013, despite a Court Order directing him to file his Amended Complaint by October 24, 2012. Plaintiff has also failed to set forth a valid reason for why this Court should reconsider its prior Order striking the Amended Complaint as untimely.

III. Conclusion

The Court **DENIES** the Motion to Reconsider [# 23].

Signed: February 21, 2013



Dennis L. Howell
United States Magistrate Judge

